

**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

02- 0 -1672

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER, TO
REFUND \$101,970.08 TO HJ RUSSELL, FOR OVERPAYMENT OF YEARS
2000 & 1999 SANITARY SERVICE CHARGES FOR 160 PARCELS LOCATED
AT 2591 ETHERIDGE DRIVE.**

WHEREAS, the City of Atlanta Bureau of Solid Waste Services is authorized to provide solid waste collection and disposal services to all residential and multi-family units within the City limits; and

WHEREAS, for the year 2000 & 1999, HJ Russell paid the City a total of \$101,970.08 for 160 dwelling units at 2591 Etheridge Drive; and

WHEREAS, 2591 Etheridge Court paid the City \$101,970.08; and

WHEREAS, the City of Atlanta deposited \$42,901.80 on August 11, 1999, and \$59,068.28 on September 6, 2000; and

WHEREAS, for the year 2000 & 1999 Etheridge Drive received private garbage collection services which became effective September 1997; and

WHEREAS, the City of Atlanta Bureau of Solid Waste Services does not provide garbage collection services to 2591 Etheridge Drive; and

WHEREAS, HJ Russell, property owner of Etheridge Court, requests a refund for overpayment of 2000 & 1999 Sanitary Service Charges for 160 parcels at 2591 Etheridge Drive.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA
AS FOLLOWS;**

SECTION 1: That the Chief Financial Officer is hereby directed to issue a refund to HJ Russell in the amount of \$101,970.08 which represents the amount of overpayment.

SECTION 2: That all funds shall be charged and paid from Fund, Account and Center Number 1A01 529010 T31001.

SECTION 3: That all ordinances and parts of ordinance in conflict herewith are the same hereby repealed.



Prudential

BANK UNITED OF TEXAS
HOUSTON, TX
713-7190/3130-95

Prudential Huntoon Paige Associates, Ltd.
Custodial Escrow Disbursement Account
P.O. Box 2915, Edison, NJ 08818-2915

DATE: 09/06/2000

CHECK NUMBER: 036005

PAY: Fifty-Nine Thousand Sixty-Eight AND 31/100

DOLLARS

\$ *****59,068.31***** USD

VOID IF NOT CASHED WITHIN 60 DAYS FROM DATE OF ISSUE

TO THE ORDER OF: CITY OF ATLANTA, GEORGIA
MUNICIPAL REVENUE COLLECTOR
55 TRINITY AVENUE SW #1350
ATLANTA, GA 30335

James L. Clouse
Dorothy B. Hyde

⑈036005⑈ ⑆313071904⑆8000492853⑈



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James L. Clouse
Dorothy B. Hyde

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Prudential

BANK UNITED OF TEXAS, FSB

HOUSTON, TX

35-7190/3130-99

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Custodial Escrow Disbursement Account

P.O. Box 2915, Edison, NJ 08818-2915

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TO THE ORDER OF:

CITY OF ATLANTA, GEORGIA
MUNICIPAL REVENUE COLLECTOR
55 TRINITY AVENUE SW #1350
ATLANTA, GA 30335*James L. Clouser*
Dwight B. Riddle

⑈036005⑈ ⑆313071904⑆8000492853⑈

THE FACE OF THIS DOCUMENT HAS A MULTICOLORED BACKGROUND ON WHITE PAPER. THE COPIES OF THIS DOCUMENT



WMF/Huntton, Paige Associates Limited

CUSTODIAL ESCROW DISBURSEMENT & CLEARING ACCOUNT
P.O. Box 2915, Edison, NJ 08818-2915BANK UNITED OF TEXAS, FSB
HOUSTON, TX

35-7190/3130-99

CHECK NUMBER 029702

DATE: 08/11/1999

PAY: **Twenty-Seven Thousand Seven Hundred Ten AND .31***** DOLLARS

\$ *****27,710.31***** USD

VOID IF NOT CASHED WITHIN 60 DAYS FROM DATE OF ISSUE

TO THE ORDER OF:

CITY OF ATLANTA
MUNICIPAL REVENUE COLLECTOR
55 TRINITY AVENUE SW #1350
ATLANTA, GA 30335*TL J Hunt*
John B. Poole

⑈029702⑈ ⑆313071904⑆8000492853⑈

** TOTAL PAGE.09 **

C&C DISPOSAL, INC. (FRONT END DEPT.)
 P.O. BOX 744
 FAYETTEVILLE, GA 30214
 (770) 461-1938
 (770) 461-6004 Fax

INVOICE#: 10100668
 DATE: 04/08/02
 ACCOUNT#: 616684
 DUE BY: 04/10/02

ETHERIDGE COURT APT.C104
 2500 CENTER ST
 ATLANTA, GA 30318

SERVICE ADDRESS: 2500 CENTER ST

DATE	DESCRIPTION	AMOUNT
09/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
09/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
09/01/01	1 LATE CHARGE LATE CHARGE	23.48
10/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
10/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
10/01/01	1 LATE CHARGE LATE CHARGE	72.77
10/03/01	16100009 PAYMENT RECEIVED 129149	(469.50)
10/03/01	18100002 PAYMENT RECEIVED 129149	(492.98)
10/17/01	18100002 PAYMENT RECEIVED 130224	(492.97)
10/17/01	19100686 PAYMENT RECEIVED 130224	(518.80)
11/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
11/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
11/01/01	1 LATE CHARGE LATE CHARGE	22.18
12/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
12/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
12/01/01	1 LATE CHARGE LATE CHARGE	72.77
12/10/01	19100686 PAYMENT RECEIVED 133796	(443.68)
12/10/01	1A100978 PAYMENT RECEIVED 133796	(517.50)

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK.
 PAYMENTS RECEIVED AFTER THE 20TH OF THE MONTH
 WILL NOT SHOW POSTED ON THIS STATEMENT.
 THANK YOU FOR YOUR BUSINESS.

TAX .00

ACCT# 616684
 CURRENT 11,506.15
 PAST DUE
 PAGE 2 OF 2

TOTAL: 2,467.22



RUSSELL

H.J. Russell & Company

April 9, 2002

City Of Atlanta
Department of Public Works
68 Mitchell Street, SW
Attn: Terri Barnwell

RE: Sanitation service refund: Etheridge Court 1
2591 Etheridge DR. Atlanta, GA 30318

Dear Mrs. Barnwell:

Thank you for all of your assistance in resolving this matter. Enclosed are copies of our private hauler sanitation invoices as well as proof of payment information. We are requesting a refund of the overages. We would also like to insure that our current billings reflect a private hauler as well. Thanks again for all of your help.

Sincerely,

Keith A. Ridley
Property Management Department

C & C DISPOSAL, INC.
P.O. Box 744
Fayetteville, Georgia 30214

SERVICE AGREEMENT

C & C DISPOSAL, INC. AGREES TO PROVIDE THE FOLLOWING SERVICE AND EQUIPMENT AT THE FREQUENCY OF COLLECTION INDICATED. CUSTOMER Eximide Court I AGREES TO ACCEPT THIS SERVICE AND EQUIPMENT AT THE PRICES INDICATED. E+HCOU

FOR A MONTHLY CHARGE OF \$ 831.00 PLUS ALL APPLICABLE STATE AND LOCAL TAXES, CONTRACTOR WILL FURNISH CUSTOMER THE FOLLOWING EQUIPMENT 2-8-24 weekly and 8-6-24 weekly AT LOCATION 2500 Center St. Apt. 60318 FOR EACH TIME THE ABOVE CONTAINER IS SERVICED THERE WILL BE A CHARGE OF 1/2

1. THE EQUIPMENT SHALL BE IN THE POSSESSION AND CONTROL OF CUSTOMER.

CUSTOMER AGREES TO HOLD HARMLESS AND INDEMNIFY CONTRACTOR AGAINST ALL CLAIMS, LAWSUITS, AND ANY OTHER LIABILITY FOR INJURY TO PERSONS OR DAMAGE TO PROPERTY ARISING OUT OF THE POSSESSION OR USE OF THE EQUIPMENT BY THE CUSTOMER.

CUSTOMER SHALL BE RESPONSIBLE FOR THE CLEANLINESS AND SAFEKEEPING OF THE EQUIPMENT.

ALL EQUIPMENT FURNISHED BY THE CONTRACTOR FOR USE BY THE CUSTOMER WHICH THE CUSTOMER HAS NOT PURCHASED, SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AND THE CUSTOMER SHALL HAVE NO RIGHT, TITLE OR INTEREST IN IT.

2. CUSTOMER SHALL PAY THE CONTRACTOR ON A MONTHLY BASIS FOR THE COLLECTION AND DISPOSAL SERVICE PROVIDED BY THE CONTRACTOR (INCLUDING ALL CHARGES FOR EQUIPMENT USE AND MAINTENANCE) IN ACCORDANCE WITH CHARGES SHOWN.

PAYMENT SHALL BE MADE BY CUSTOMER WITHIN TEN (10) DAYS AFTER RECEIPT OF AN INVOICE FROM THE CONTRACTOR.

3. SINCE LABOR, FUEL, EQUIPMENT AND LANDFILL CHARGES ARE A SIGNIFICANT COST OF THE SERVICE PROVIDED; CONTRACTOR MAY INCREASE THE COLLECTION SERVICE CHARGE EQUAL TO ANY AMOUNT THAT THE ABOVE ITEMS MAY INCREASE.

4. THIS AGREEMENT SHALL EXTEND FOR A MINIMUM OF THREE (3) YEARS FROM THE BEGINNING DATE OF SERVICE AND SHALL BE AUTOMATICALLY RENEWED FROM YEAR TO YEAR UNLESS EITHER PARTY SHALL GIVE WRITTEN NOTICE OF TERMINATION TO THE OTHER AT LEAST THIRTY (30) DAYS PRIOR TO THE ANNUAL TERMINATION DATE.

5. THIS AGREEMENT SHALL BE BINDING ON THE PARTIES AND THEIR SUCCESSORS.

CUSTOMER

CONTRACTOR

NAME

NAME

TITLE

TITLE

DATE

DATE

C & C DISPOSAL, INC.
P.O. Box 744
Fayetteville, Georgia 30214

SERVICE AGREEMENT

C & C DISPOSAL, INC. AGREES TO PROVIDE THE FOLLOWING SERVICE AND EQUIPMENT AT THE FREQUENCY OF COLLECTION INDICATED. CUSTOMER ETTERIDGE Courts II AGREES TO ACCEPT THIS SERVICE AND EQUIPMENT AT THE PRICES INDICATED. ETHCOR

FOR A MONTHLY CHARGE OF \$831.00 PLUS ALL APPLICABLE STATE AND LOCAL TAXES. CONTRACTOR WILL FURNISH CUSTOMER THE FOLLOWING EQUIPMENT 8-8yd. 24 wheel AT LOCATION 2500 Carter St. RM 89. 3036 FOR EACH TIME THE ABOVE CONTAINER IS SERVICED THERE WILL BE A CHARGE OF 1/d

1. THE EQUIPMENT SHALL BE IN THE POSSESSION AND CONTROL OF CUSTOMER.

CUSTOMER AGREES TO HOLD HARMLESS AND INDEMNIFY CONTRACTOR AGAINST ALL CLAIMS, LAWSUITS, AND ANY OTHER LIABILITY FOR INJURY TO PERSONS OR DAMAGE TO PROPERTY ARISING OUT OF THE POSSESSION OR USE OF THE EQUIPMENT BY THE CUSTOMER.

CUSTOMER SHALL BE RESPONSIBLE FOR THE CLEANLINESS AND SAFEKEEPING OF THE EQUIPMENT.

ALL EQUIPMENT FURNISHED BY THE CONTRACTOR FOR USE BY THE CUSTOMER WHICH THE CUSTOMER HAS NOT PURCHASED, SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AND THE CUSTOMER SHALL HAVE NO RIGHT, TITLE OR INTEREST IN IT.

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5. THIS AGREEMENT SHALL BE BINDING ON THE PARTIES AND THEIR SUCCESSORS.

CUSTOMER	CONTRACTOR
NAME <u>[Signature]</u>	NAME <u>Det McAdams</u>
TITLE _____	TITLE <u>Secretary - Treasurer</u>
DATE _____	DATE <u>2-1-94</u>

C & C DISPOSAL, INC.

P. O. Box 744
FAYETTEVILLE, GEORGIA 30214
PHONE: (770) 461-1930
FAX: (770) 461-6004

City of Atlanta
Department of Public Works
68 Mitchell Street, SW
Attn: Terri Barnwell

Re: Sanitation Contracts:

Dear Mrs. Barnwell,

C & C Disposal, has been the sanitation hauler for the H. J. Russell & Company properties listed below from the contract start date listed below until the Contract end date please not if the contract end date is blank the contract is still in force. If you have any questions concerning this information please do not hesitate to contact me.

Property Name	Address	Contract Start	Contract End
Boynton Village 1	1041 Martin St. Atlanta, GA 30315	1-1-94	
Boynton Village 1	1051 Fern Ave. Atlanta, GA 30315	1-1-94	
Central Methodist Gardens 2	320 Fairburn Rd. SW Atlanta, GA 30331	9-1-94	
Edgewood Court Apartments	1572 Hardee Street Atlanta, GA 30307	1-1-94	
Etheridge Court Apartments 1	2591 Etheridge DR Atlanta, GA 30318	1-1-94	
Garrett Court Apartments	375 Garrett St Atlanta, GA 30312	1-1-94	
Hollywood West Apartments	1033 Hollywood Road Atlanta Ga. 30331	1-26-94	
Westlake Manor Apartments	390 Westlake Ave. Atlanta, GA 30318	3-25-98	

1554 HARDEE ST
1612 HARDEE ST > 1-1-94

Sincerely,

Robin Tush

C&C DISPOSAL, INC. (FRONT END DEPT.)
 P.O. BOX 744
 FAYETTEVILLE, GA 30214
 (770) 461-1930
 (770) 461-6004 Fax

INVOICE#: 1C100668
 DATE: 04/06/02
 ACCOUNT#: 616684
 DUE BY: 04/10/02

ETHERIDGE COURT APT.C104
 2500 CENTER ST
 ATLANTA, GA 30318

SERVICE ADDRESS: 2500 CENTER ST

DATE	DESCRIPTION	AMOUNT
	PRIOR BALANCE	.00
01/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
01/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
02/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
02/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
02/05/01 11100820	PAYMENT RECEIVED 112886	(939.00)
02/27/01 12100800	PAYMENT RECEIVED 114559	(939.00)
03/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
03/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
03/17/01 13100791	PAYMENT RECEIVED 116091	(939.00)
04/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
04/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
04/17/01 14100989	PAYMENT RECEIVED 118071	(939.00)
05/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
05/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
05/30/01 15100812	PAYMENT RECEIVED 121046	(469.50)
06/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
06/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
06/25/01 15100812	PAYMENT RECEIVED 122739	(469.50)
07/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
07/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
07/26/01 17100805	PAYMENT RECEIVED 124643	(939.00)
07/26/01 16100809	PAYMENT RECEIVED 124643	(469.50)
08/01/01	8 6Y BIN 2XW TRASH REMOVAL	684.00
08/01/01	2 8Y BIN 2XW TRASH REMOVAL	255.00
08/01/01	1 LATE CHARGE LATE CHARGE	46.95

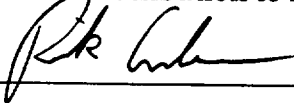

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 THANK YOU FOR YOUR BUSINESS.

ACCT# 616684
 CURRENT 11,506.15
 PAST DUE
 PAGE 1 OF 2

TOTAL:

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon
(for review & distribution to Executive Management)

Commissioner Signature:  Director Signature 

From (originating dept): Finance/Treasury Contact (name): Barbara Ward 330- 6687

Committee(s) of Purview: Finance / Executive Committee Deadline: _____

City Council Meeting Date: October 7th, 2002 Committee Meeting Date(s): October 2nd, 2002.

CAPTION:


AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND \$101,970.08 TO HJ RUSSELL, FOR OVERPAYMENT OF YEARS 2000 AND 1999 SANITARY SERVICE CHARGES FOR 160 PARCELS LOCATED AT 2591 ETHERIDGE DRIVE.

BACKGROUND/PURPOSE/DISCUSSION:

Refund due, resulting from an overpayment. The customer has requested a refund of this outstanding credit.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by Mayor's Office: 9/19/02 Reviewed: 
(date) (initials) (date)

Submitted to Council: _____
(date)

Action by Committee: ☐ Approved ☐ Adversed ☐ Held ☐ Amended
☐ Substitute ☐ Referred ☐ Other